

RECORD OF PROCEEDINGS

August 5, 2008

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REGULAR BOARD MEETING:

Mayor Schmidt called the meeting to order at 7:00 p.m.

Pledge of Allegiance.

Trustees present for roll call were Trustees Webb, Keairns, Fowler, Blanken, Yarbrough and Davis.

MINUTES:

Trustee Davis moved to approve the minutes of the meeting held on July 15, 2008 as presented. Trustee Fowler seconded the motion. The vote was unanimous. Motion carried.

TREASURER'S REPORT AND FINANCIAL REPORT:

The Board acknowledged receipt of the treasurer's report for July 2008.

OLD BUSINESS:

JOAN SHERAM AND PATRICK LAWRENCE-APPLICATION FOR SUBDIVISION OF LOTS:

Mayor Schmidt stated that a public hearing had been held prior to the Board meeting to receive public comments on the application for subdivision by Ms. Sheram and Mr. Lawrence. The property is located at 300 West First Street on the West ½ of Lot 8, Lot s 9 and 10, Block 2, McCombs Addition.

After discussion regarding the unique division of the property, Trustee Webb moved to approve the application upon changes to be made to make the request come into compliance with the set backs and to have the ordinance drawn. Trustee Keairns seconded the motion. The vote was as follows: Trustee Webb, aye; Trustee Keairns, aye; Trustee Fowler, aye; Trustee Blanken, nay; Trustee Yarbrough, nay; Trustee Davis, aye; Mayor Schmidt, nay. Motion carried.

MATTHEW HALL – ALLTEL LEASE:

Mayor Schmidt stated that he felt it would be a good course of action to decide if the Board was interested in pursuing this lease and if so, if the Board wanted the Town's attorney, Larry Berkowitz, to negotiate the lease or for the Board to negotiate the lease.

Mayor Schmidt opened the floor for comments from the public.

After discussion, Trustee Webb moved to negotiate the lease through the Town's attorney for installation of cell phone panels on the water tank. Trustee Yarbrough seconded the motion.

Trustee Davis noted that he would like Alltel to pay the attorney's fees for the negotiated lease.

Trustee Webb amended her motion to include the Town's attorney's fees to be paid by Alltel as part of the negotiations. Trustee Yarbrough seconded the amended motion. The vote was as follows: Trustee Webb, aye; Trustee Keairns, nay; Trustee Fowler, aye; Trustee Blanken, aye; Trustee Yarbrough, aye, Trustee Davis, aye; Mayor Schmidt, nay. Motion carried.

ORDINANCE #233 – ADOPTION OF 2006 INTERNATIONAL BUILDING CODE, ETC.:

Mayor Schmidt read the title of the ordinance into the record. Trustee Davis moved to adopt Ordinance #233. Trustee Yarbrough seconded the motion. The vote was unanimous. Motion carried.

NEW BUSINESS:

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MITZI KEAIRNS – REQUEST TO DRIVE ON PARK TO DELIVER BAR-B-QUE GRILL:

Ms. Keairns addressed the Board with a request to allow the Rotary Club to drive into the park to allow them to place their newly built bar-b-que grill at the pavilion for the Century Ride. Rotary would be providing 500 meals on Saturday, August 16, 2008.

Trustee Keairns moved to allow the Rotary Club to drive the grill to the pavilion for the Century Ride. Trustee Yarbrough seconded the motion. The vote was unanimous. Motion carried.

BOB’S PAINTING – PROPOSAL TO CLEAN & SEAL DECKS AT TOWN HALL:

Trustee Davis moved to authorize Bob’s Painting to clean and seal the decks at Town Hall for a price of \$750.00. Trustee Fowler seconded the motion. The vote was unanimous. Motion carried.

SJANI AND RYAN BOGGS – OVERVIEW AND COMMENTS ON ART IN THE PARK:

Mr. Boggs spoke to the Board regarding Art in the Park and requested input from the Board regarding the event. A number of issues were discussed, primarily the food vendors and the need to have them at the event. Mr. Boggs noted that they would be back in January with their request for use of the park for next years event.

CHIP KRAYNYK – CELL TOWER:

Mr. Kraynyk spoke to the issue of the cell tower that was proposed and that municipalities within a three mile range should be notified of the application. The Board noted that it had not received the information, but that a public hearing was scheduled for 2:00 p.m. at the Walsenburg Community Center on August 19, 2008 for public input.

Trustee Yarbrough noted that the Town needed to received a copy of the proposal so that the Town can respond. The Board scheduled a workshop to discuss the proposal by Subcarrier Communications on Monday, August 11, 2008 at 6:00 p.m. at the Community Center.

CORRESPONDENCE:

Trustee Yarbrough noted that Sam Law had an ad in the newspaper requesting letters of support for the ghost town at Uptop for placement on the most endangered list of Colorado Preservation, Inc. The Board agreed to provide a letter.

BOARD REPORTS:

HPC: The Board noted receipt of the Historic Preservation Minutes. Discussion of maintenance issues and applying the ordinance was discussed.

TREE BOARD: Ms. Barb Kowalik reported on work completed at Hobo Park with the Methodist youth and that much work remained to be done.

COMMITTEES:

Streets and Alleys:

- The Board had received one bid for the curb and sidewalk project from J. Siegel, Inc. in the amount of \$35,736.06. Trustee Fowler moved to authorize J. Siegel, Inc. to proceed with the project for the sum of \$35,736.06. Trustee Keairns seconded the motion. The vote was unanimous. Motion carried.
- It was noted by Mr. Coffey that East Virginia need grading. Trustee Davis stated that it was one of the priorities for grading on a regular basis.
- Trustee Webb noted that she had had a number of people speak to her about the stop sign on Oak Street. She stated that she planned to

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write a letter to the newspaper explaining why the decision was made to place a stop sign on Oak. The Board agreed that it would be a good idea.

- Trustee Yarbrough asked if the documentation of mosquito spraying had been done. Upon being notified that it hadn't, she asked that mosquito spraying be suspended until it was done so that proper procedures were in place and that the spraying was done in accordance with standards.
- Mayor Schmidt spoke to the issue of the Dyer Ditch. Mayor Schmidt was to write a letter to Ms. Adams to provide the documentation and to explain the situation of that information and the Town's water attorney, Mr. Hank Worley's interpretation of the documentation.

Police, Code Enforcement and Building:

- The Board spoke about the lack of a code enforcement officer and also being down one marshal. It was the Mayor's opinion that law enforcement would handle code enforcement until a decision was made whether to hire someone else. The Board also felt that Harold may be able to handle some of the code enforcement issues depending on what workman's compensation would allow him to do while recovering.

Water and Sewer:

- Mayor Schmidt noted that the water project had been put out to bid.
- The Board agreed to piggy back a workshop on water overages that had been previously cancelled onto the August 18th workshop on the cell tower.

Personnel:

- Trustee Yarbrough moved to approve 40 hours of leave for Jason Vaughan. Trustee Keairns seconded the motion. The vote was unanimous. Motion carried.
- Trustee Webb moved to approve 40 hours of leave for Shannon Shrout. Trustee Davis seconded the motion. The vote was unanimous. Motion carried.
- The personnel committee scheduled a workshop for August 18, 2008 at 6:00 p.m. to work on job descriptions.
- Trustee Keairns moved to approve attendance to the Municipal Judges Association Fall Conference.
- Trustee Yarbrough moved to release Akira Vaughan from her the duties of restroom cleaning and trash remove. Trustee Davis seconded the motion. The vote was unanimous. Motion carried.
- Trustee Yarbrough moved to seek a replacement for the restroom cleaning and trash removal position for 7 days a week at \$20.00 per day. Trustee Davis seconded the motion. The vote was unanimous. Motion carried.
- Dave Reinhart asked about criminal activity by an employee and how the Board handled such a matter. The Mayor responded that until formal charges had been filed no action would be taken.
- Trustee Yarbrough moved to executive session at 10:05 for the purposes of discussing personnel issues. Trustee Davis seconded the motion. The meeting reconvened at 10:25 p.m. No action was taken.

Museum:

- Trustee Webb noted that the Museum look really nice.

Finance:

- The Board spoke to the issue of the agricultural lease on First Street and that the property was being used in another manner. The lessee was to be notified they were in violation of the lease.

BILLS:

GENERAL FUND		
29155	Nancy Culbreath	\$ 901.18
29156	Nancy Culbreath	\$ 39.08
29157	Christy Deaver	\$ 858.65
29158	Al Drum	\$ 120.76

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29159	FPPA	\$ 662.46
29160	Chris Knowles	\$ 786.00
29161	Tom Lessar	\$ 141.29
29162	Marguerite Schreiber	\$ 227.96
29163	Family Support Registry	\$ 350.00
29164	Akira Vaughan	\$ 142.62
29165	Jason Vaughan	\$ 779.83
29166	Jason Vaughan	\$ 49.73
29167	Harold Willburn	\$ 982.06
29168	Centennial Leasing	\$ 8,253.12
29169	My Friend the Printer	\$ 64.33
29170	SE&EC Recycling	\$ 471.24
29171	Huerfano County Treasurer	\$ 1,040.66
29172	Paul Newman	\$ 90.00
29173	AT&T	\$ 82.64
29174	California Contractors Supplies	\$ 267.70
29175	CenturyTel	\$ 699.75
29176	Colorado Machinery	\$ 247.66
29177	ConocoPhillips Fleet	\$ 133.81
29178	Gobin's	\$ 33.25
29179	Tom Lessar	\$ 809.29
29180	Lila Manzanares	\$ 390.00
29181	Ludvik Propane	\$ 43.18
29182	La Veta Oil Company	\$ 485.24
29183	La Veta Propane	\$ 184.15
29184	San Isabel Electric	\$ 970.37
29185	La Veta Senior Citizens	\$ 100.00
29186	The Signature	\$ 112.32
29187	La Veta True Value	\$ 322.86
29188	HRH of Colorado	\$ 3,315.79
29189	Xerox	\$ 140.26
	TOTAL DISBURSEMENTS	\$ 24,299.24
WATER FUND		
6770	Sewer Checking	\$ 8,936.00
6771	Tech Control	\$ 200.00
6772	Dana Kepner	\$ 1,944.05
6773	DPC	\$ 537.52
6774	Evergreen Analytical Laboratory	\$ 561.00
6775	Ferguson Enterprises	\$ 160.46
6776	MacDougall, Woldridge & Worley	\$ 446.00
6777	San Isabel Electric	\$ 384.98
6778	The Signature	\$ 34.44
6779	Stewart Environmental	\$ 251.00
6780	La Veta True Value	\$ 34.97
6781	UNCC	\$ 16.08
	TOTAL DISBURSEMENTS	\$ 13,506.50
SEWER FUND		
2346	void	\$ -
2347	CJ Bynum	\$ 844.18
2348	Rob Saint-Peter	\$ 1,007.95
2349	Shannon Shrout	\$ 941.47
2350	San Isabel Electric	\$ 488.98
2351	La Veta True Value	\$ 10.03
2352	HRH of Colorado	\$ 1,657.17
	TOTAL DISBURSEMENTS	\$ 4,949.78

Trustee Fowler moved to approve payment of the bills. Trustee Davis seconded the motion. The vote was unanimous. Motion carried.

The Board spoke about a possible intergovernmental agreement regarding the dispatch service with the cost being \$25.00 per call if the tax question did not pass and how they felt about it.

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Trustee Keairns spoke to the Board regarding a request from Dr. Briggs to meet with the Board regarding his vision for the golf course. After discussion the Board agreed that Mickey should meet with Dr. Briggs, if Town Attorney Larry Berkowitz thought it would be proper, to discuss the issues of settlement of the lawsuit and noted that the lawsuit was the first issue that needed to be dealt with.

ADJOURNMENT:

There being no further business to come before the Board, Mayor Schmidt adjourned the meeting at 11:25 p.m.

Mickey L. Schmidt, Mayor

Nancy Culbreath, town clerk